

REMARKS / ARGUMENTS

In the above-identified Office Action the Examiner has indicated that certain features not shown in the drawings require that the drawings be amended to show such features or be cancelled. In response Applicant hereby cancels claims 28, 29, 30 and 35 and amends figure 3 of the drawings to show the means for applying force as a belt of strap 20, with corresponding amendment to the specification. Support for this amendment is on page 4, lines 19-20 of the specification.

Accordingly, this objection to the drawing is considered obviated.

Claims 20-26, 28-29, 31, 34, 36 and 38 have been rejected as anticipated by the European publication to Jensen. In response Applicant notes that claim 20 has been amended so that the means for applying a force is located at the distal end of the connector thereby pressing a proximal end of the connector into contact with the skin surface of the subject. Jensen shows that his means for applying a force is not located at the distal end of the connector but rather intermediate the distal and proximate end of the connector.

Jensen teaches a two part connector in which the proximal end is held onto the skin by an adhesive backed label. The object of Jensen is that the label remains affixed to the skin for extended periods of time since the user can attach and remove the drainage bag without the need to remove the label from the skin. However, as disclosed in the subject specification this type of connector is not appropriate for patients with a fistula, since the skin around the fistula often weeps and the adhesive tape cannot adhere to the surface to the skin. Consequently the connector cannot be held in place securely, resulting in leakage of waste material.

Applicant overcomes this problem by removing the requirement for an adhesive label.

The present invention includes an elongate, flexible tubular connector for connecting the drainage bag to a fistula, which is held in place by applying a force such as with a belt or abdominal strap to the distal end of the connector, which presses the proximal of the connector into contact with the skin surface of the user, thereby providing a sealed passage for waste material to exit the fistula and enter the drainage bag.

Claim 32 has been rejected as unpatentable over Jensen. Applicant states that insofar as Claim 20 is considered allowable, Claim 32 being dependent thereon is also allowable.

Claim 27 has been rejected as unpatentable over Jensen in view of Olsen. Insofar as Claim 27 is ultimately dependent upon Claim 20, which is considered allowable as set forth above, Applicant believes Claim 27 to be allowable as well.

Claim 30 has been rejected as being unpatentable over Brooks. As stated above Applicant has canceled claim 30 and accordingly this rejection is considered obviated.

Claim 33 has been rejected as unpatentable over Jensen in view of Kay. Applicant has amended claim 33 to include the recital of the retention member as an integral part of the connector. This differs from Kay wherein the protector shield is removable and thus not integral.

Claim 35 has been rejected over Jensen in view of Mulhauser. Claim 35 has been cancelled thereby obviating this rejection.

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Claim 37 has been rejected as unpatentable over Jensen in view of von Dyck insofar as claim 37 is dependent upon claim 20 which is considered allowable, as set forth above, Applicant believes claim 37 to be allowable.

As a result of the above amendments and arguments, Applicant believes that claims 20-27, 31-34 and 36-38 are allowable.

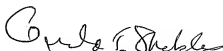
Applicant hereby requests reconsideration and reexamination thereof.

No further fee or petition is believed to be necessary. However, should any further fee be needed, please charge our Deposit Account No. 23-0920, and deem this paper to be the required petition.

With the above amendments and remarks, this application is considered ready for allowance and applicant earnestly solicits an early notice of same. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he/she is respectfully requested to call the undersigned at the below listed number.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerald T. Shekleton". The signature is fluid and cursive, with the first name "Gerald" being more prominent than the last name "Shekleton".

Dated: February 28, 2011

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